

1 THE HONORABLE MARY K. DIMKE
2 Trial Date: February 3, 2025

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UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WASHINGTON

DANIEL F. SHIRLEY

Case No. 2:23-CV-00349-MKD

Plaintiff,

v.

**STIPULATED MOTION FOR SHORT
EXTENSION OF DISPOSITIVE
MOTIONS DEADLINE**

BMW OF NORTH AMERICA, LLC, a
foreign limited liability company, BMW
FINANCIAL SERVICES NA, LLC, a foreign
limited liability company, BMW OF
SPOKANE, a foreign limited liability
company,

AND

[PROPOSED] ORDER

Defendants.

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COMES NOW, the Parties by and through their counsel of record, and respectfully move
this Court, via stipulation as follows:

I. STIPULATION

1. The parties make this motion in good faith and not for the purpose of unreasonable delay.
2. The parties incorporate by reference the following:
 - a. Bench Trial Scheduling Order, filed February 8, 2024 [ECF#16];

- b. Stipulation of Dismissal with Prejudice as to Defendants BMW of North America, LLC and BMW Financial Services, NA, LLC, filed September 4, 2024 [ECF#22];
- c. Defendant BMW of Spokane's Notice of Non-objection to Stipulation of Dismissal with Prejudice as to Defendants BMW of North America, LLC, and BMW Financial Services, NA, LLC, filed September 11, 2024 [ECF#23]; and
- d. Order of Dismissal as to Defendants BMW of North America, LLC, and BMW Financial Services, NA, LLC, filed September 12, 2024 [ECF#24].

3. Pursuant to the Bench Trial Scheduling Order [ECF#16], All dispositive and state certification motions must be filed by **September 13, 2024**.
4. Pursuant to the Bench Trial Scheduling Order [ECF#16], each party must file and serve a notice of to-be-adjudicated claims and defenses by **September 13, 2024**.
5. The parties have discussed the current case schedule and deadlines, in conjunction with the dismissal of BMW NA, LLC and BMW Financial Services, and are working to schedule a mediation to be held within the next two (2) weeks.
6. The parties have discussed and agreed to a brief, two (2) week extension of the deadline to file dispositive motions, so that the status quo is preserved pending the aforementioned mediation.

For the above reasons, the Parties jointly request that this Court grant this Stipulated

Motion for Short Extension of Dispositive Motions Deadline to September 27, 2024.

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STIPULATED MOTION FOR SHORT EXTENSION
OF DEADLINE TO PRESERVE THE STATUS QUO
AND EXPLORE SETTLEMENT VIA MEDIATION- Page 2

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Respectfully submitted this 13th day of September 2024.

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II. ORDER

IN CONFORMITY with the foregoing Stipulation, **IT IS SO ORDERED.**

The Court's February 8, 2024, Bench Trial Scheduling Order shall issue be amended to allow a two (2) week extension of the deadline for all dispositive motions and notice of to-be-adjudicated claims and affirmative defenses to September 27, 2024, in conformity herewith.

HONORABLE JUDGE MARY K. DIMKE
UNITED STATES DISTRICT JUDGE

1 CERTIFICATE OF SERVICE

2 I certify that on September 13, 2024, I electronically filed the foregoing with the Clerk
3 of the Court using the CM/ECF system, which will provide notification and service of such filing
4 to all CM/ECF participants.

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6 DATED this 13th day of September 2024.

7 /s/ Eowen S. Rosentrater
8 EOWEN S. ROSENTRATER, WSBA No. 36744

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